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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,321	06/29/2001	Osamu Hori	210678US2SRD	7966

22850 7590 09/21/2005

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ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/894,321	HORI ET AL.	
	Examiner	Art Unit	
	James A. Thompson	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,13,14 and 16-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-11,13,14 and 16-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 9, lines 22-24, filed 27 June 2005, with respect to the rejections of claims 2 and 12 under 35 USC §112, 2nd paragraph have been fully considered and are persuasive. The rejections of claims 2 and 12 under 35 USC §112, 2nd paragraph listed in items 3-5 of the previous office action, dated 21 January 2005, have been withdrawn.

2. Applicant's arguments filed 27 June 2005 have been fully considered but they are not persuasive.

Regarding page 10, lines 1-17: While the present amendments to the claims place the "first information", "second information", and "third information" in a tangible form, said "first information", "second information", and "third information" is still merely non-functional descriptive data. This is discussed in greater detail below.

Since claims 12 and 15 have been canceled, the rejections under 35 USC §101 with respect to claims 12 and 15 are withdrawn.

Regarding page 10, line 18 to page 12, line 4: Examiner has already demonstrated on page 5, lines 6-20 of said previous office action how the editing process requires the extraction of specific frames. In fact, Applicant admits on page 11, lines 10-11 that "[t]he user defines the video segment to be edited in step 174 by selecting a time period of the video over which the picture quality is to be changed." Since video data is delineated by frames, the selection of a specific time period to be is therefore an extraction of a frame or group of frames. In

order to specify the time period, clearly the location of said frames are required. Otherwise, there can be no time period specification. The particular manner in which editing is performed for the specified time period is not relevant to the fact that particular frames or groups of frames are extracted. If the user performs spatial editing, then a single frame must be extracted. If the user performs temporal editing, then a group of frames must be extracted.

Claim Warnings

3. Applicant is advised that should claim 26 be found allowable, claim 28 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 101

4. 35 U.S.C. §101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1 and 3-10 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1 and 3-10 are simply methods for describing information with regard to source video data. In other words, claims 1 and 3-10 are methods for describing non-functional descriptive data. Claims 1 and 3-10 do not perform any useful

and tangible result, but merely describes information regarding particular aspects of source video data. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b). Claims 1 and 3-10 therefore are not directed to any useful process, machine, article of manufacture, or composition of matter.

6. Claims 11 and 13-14 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The data signal recited in claims 11 and 13-14 merely comprises non-functional descriptive data. The "first information", "second information" and "third information" are each merely data which describes source video data. The data signals recited in claims 11 and 13-14 are therefore directed to non-statutory subject matter, and are not directed to any useful process, machine, article of manufacture, or composition of matter. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b).

7. Claim 16 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The apparatus of claim 16 merely arranges non-functional descriptive data, which has been held to be non-statutory. Claim 16 therefore lacks utility and is not a useful process, machine, article of manufacture, or composition of matter.

8. Claim 17 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claim 17 is merely directed to the arrangement of non-functional descriptive data, specifically the source video data and information with regard to the source video data. A mere

arrangement of data is not a useful process, machine, article of manufacture, or composition of matter, and is therefore non-statutory. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b).

9. Claim 22 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The method recited in claim 22 is simply a method for describing information with regard to source sound data. In other words, claim 22 is a method for describing non-functional descriptive data. Claim 22 does not perform any useful and tangible result, but merely describes information regarding particular aspects of source sound data. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b). Claim 22 is therefore not directed to any useful process, machine, article of manufacture, or composition of matter.

10. Claim 23 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The method recited in claim 23 is simply a method for describing information with regard to source text data. In other words, claim 23 is a method for describing non-functional descriptive data. Claim 23 does not perform any useful and tangible result, but merely describes information regarding particular aspects of source text data. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b). Claim 23 is therefore not directed to any useful process, machine, article of manufacture, or composition of matter.

11. Claim 24 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The data signal recited in claim 24 merely comprises non-functional descriptive data. The "first information", "second information" and "third information" are each merely data which describes source text/video data. The data signal recited in claim 24 is therefore directed to non-statutory subject matter, and is not directed to any useful process, machine, article of manufacture, or composition of matter. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b).

12. Claims 25-28 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The methods recited in claims 25-28 are simply methods for describing information with regard to source video data. In other words, claims 25-28 are methods for describing non-functional descriptive data. Claims 25-28 do not perform any useful and tangible result, but merely describe information regarding particular aspects of source video data. Please note MPEP §2106 IV.B.1(a) and MPEP §2106 IV.B.1(b). Claims 25-28 are therefore not directed to any useful process, machine, article of manufacture, or composition of matter.

Claim Rejections - 35 USC § 112

13. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

14. Claims 1, 3-11, 13-14, 16-17 and 22-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1, 3-11, 13-14, 16-17 and 22-28 have been rejected above under 35 USC §101 as being directed to non-statutory subject matter. Therefore, the specification is also non-enabling for claims 1, 3-11, 13-14, 16-17 and 22-28.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1, 3, 5, 11, 13, 16-20 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Yogeshwar (US Patent 6,026,232).

Regarding claims 1 and 11: Yogeshwar discloses a data signal (column 8, lines 7-11 of Yogeshwar) for use in a video decoding apparatus to describe (column 7, lines 61-67 of Yogeshwar) frame information (column 12, lines 28-33 of Yogeshwar), said data signal comprising first information, described for a frame or group of frames extracted from a plurality of frames in source video data (column 14, lines 26-30 of Yogeshwar), specifying a location of the extracted frame or group of frames in the source video data (column 14, lines 34-37

of Yogeshwar); and second information, described for the extracted frame or group of frames, relating to a display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar). In order to edit a specific frame or group of frames of video data (column 14, lines 26-30 of Yogeshwar), said frame must be extracted. In order for said frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the specific location of said extracted frame or group of frames in the source video data must inherently be known and retained as information.

Further regarding claim 1: The article of manufacture of claim 11 performs the steps of the method of claim 1.

Regarding claims 3 and 13: Yogeshwar discloses describing, for the extracted frame or group of frames, third information relating to the importance (priority) of the extracted frame or group of frames (column 24, lines 1-6 of Yogeshwar).

Regarding claim 5: Yogeshwar discloses that the extracted frame or group of frames comprises a frame or group of frames extracted from a plurality of frames included in a temporal section of the source video data (column 14, lines 26-30 of Yogeshwar), and further describing fourth information specifying the temporal section (time period) of the source video data (column 14, lines 26-30 of Yogeshwar).

Regarding claims 16 and 17: Yogeshwar discloses an apparatus (figure 1A of Yogeshwar) comprising a unit (figure 1A (30(portion)) of Yogeshwar) configured to extract a frame or group of frames from a plurality of frames in source video data (column 14, lines 26-30 of Yogeshwar); a unit (figure 1A(30 (portion)) of Yogeshwar) configured to create the frame information (column 14, lines 27-37 of Yogeshwar) including

first information specifying a location of the extracted frame or group of frames in the source video data (column 14, lines 34-37 of Yogeshwar) and second information relating to a display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar); and a unit (figure 1A(30(portion)) of Yogeshwar) configured to link the extracted frame or group of frames to the frame information (column 14, lines 58-64 of Yogeshwar).

The digital video and audio editing operations are controlled by a computer workstation (figure 1A(30) and column 8, lines 7-11 of Yogeshwar) which comprises a processor, ROM, RAM and other conventional computer components (column 7, lines 61-64 of Yogeshwar). The unit configured to extract, the unit configured to create, and the unit configured to link are the corresponding portions of said workstation's processor and memories, along with the associated embodied computer code, that performs extraction, creation and linking.

In order to edit a specific frame or group of frames of source video data (column 14, lines 26-30 of Yogeshwar), said frame or group of frames must be extracted. In order for a specific frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the specific location of said extracted frame or group of frames in the source video data must inherently be known and retained. Since the previously encoded data and the newly edited data are shown to the user for comparison (column 14, lines 58-64 of Yogeshwar), clearly the frame information and the extracted frame or group of frames are linked.

Further regarding claim 17: The apparatus of claim 16 performs the method of claim 17.

Regarding claims 18, 19 and 20: Yogeshwar discloses an apparatus (figure 1A of Yogeshwar) comprising a unit (figure 1A (30(portion)) of Yogeshwar) configured to refer to frame information described for a frame or group of frames extracted from a plurality of frames in source video data (column 14, lines 26-30 of Yogeshwar) and including first information specifying a location of the extracted frame or group of frames in the source video data (column 14, lines 34-37 of Yogeshwar) and second information relating to a display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar); a unit (figure 1A(30(portion)) of Yogeshwar) configured to obtain the source video data corresponding to the extracted frame or group of frames based on the first information (column 14, lines 61-64 of Yogeshwar); and a unit (figure 1A(61) of Yogeshwar) configured to display the obtained source video data for the determined display time based on the second information (column 14, lines 61-64 of Yogeshwar).

The digital video and audio editing operations are controlled by a computer workstation (figure 1A(30) and column 8, lines 7-11 of Yogeshwar) which comprises a processor, ROM, RAM and other conventional computer components (column 7, lines 61-64 of Yogeshwar). The unit configured to refer and the unit configured to obtain are the corresponding portions of said workstation's processor and memories, along with the associated embodied computer code, that performs referring and obtaining.

In order to edit a specific frame or group of frames of source video data (column 14, lines 26-30 of Yogeshwar), said frame or group of frames must be extracted and referred to. In order for a specific frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the

specific location of said extracted frame or group of frames in the source video data must inherently be known and retained. Since the video data at the determined display time (column 14, lines 55-61 of Yogeshwar) is displayed (column 14, lines 61-65 of Yogeshwar), it is inherent that said video data is obtained.

Further regarding claims 19 and 20: The apparatus of claim 18 performs the method of claim 19 and obtains the information disclosed in claim 20.

Regarding claim 25: Yogeshwar describing, for a frame or group of frames (column 12, lines 28-33 of Yogeshwar) extracted from a plurality of frames in source video data (column 14, lines 26-30 of Yogeshwar), first information specifying a location of the extracted frame or group of frames in the source video data (column 14, lines 34-37 of Yogeshwar); describing, for said extracted frame or group of frames, second information relating to a display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar); and describing, for said extracted frame or group of frames, third information indicating the plurality of frames in the source video data (column 14, lines 26-30 of Yogeshwar). In order to edit a specific frame or group of frames of video data (column 14, lines 26-30 of Yogeshwar), said frame must be extracted. In order for said frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the specific location of said extracted frame or group of frames in the source video data must inherently be known and retained as information. Further, the time period of the source video data (column 14, lines 26-30 of Yogeshwar) indicates the plurality of frames in the source video data.

Regarding claims 26 and 28: Yogeshwar discloses that said third information comprises start time information indicating a start of the plurality of frames and section length information indicating a time length of the plurality of frames (column 14, lines 27-30 of Yogeshwar).

Regarding claim 27: Yogeshwar discloses that said third information further comprises source video position information indicating a location of the source video data (column 14, lines 27-30 of Yogeshwar).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

18. Claims 4, 6, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (US Patent 6,026,232) in view of Fujita (US Patent 5,974,219).

Regarding claims 4 and 14: Yogeshwar does not disclose expressly that the first information comprises information specifying an image data file created from the video data of the extracted frame or group of frames.

Fujita discloses information specifying an image data file created from the video data of an extracted frame or group of frames (column 13, lines 11-14 of Fujita).

Yogeshwar and Fujita are combinable because they are from the same field of endeavor, namely digital video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to create an image data file from the extracted video frame or group of frames and specify an image data file, as taught by Fujita, said image data file specification being a part of said first information taught by Yogeshwar. The motivation for doing so would have been to reduce the time required for editing by saving the specific video cut to be edited (column 13, lines 16-18 of Yogeshwar). Therefore, it would have been obvious to combine Fujita with Yogeshwar to obtain the invention as specified in claims 4 and 14.

Regarding claim 6: Yogeshwar does not disclose expressly that said first information comprises information specifying an image data file created from the source video data of the extracted frame, the image data corresponding to the extracted frame or group of frames.

Fujita discloses information specifying an image data file created from the source video data of an extracted frame, the image data corresponding to the extracted frame or group of frames (column 13, lines 11-14 of Fujita).

Yogeshwar and Fujita are combinable because they are from the same field of endeavor, namely digital video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to create an image data file from the extracted video frame or group of frames and specify an image data file, as taught by Fujita, said image data file specification being a part of said first information taught by Yogeshwar. The motivation for doing so

would have been to reduce the time required for editing by saving the specific video cut to be edited (column 13, lines 16-18 of Fujita). Therefore, it would have been obvious to combine Fujita with Yogeshwar to obtain the invention as specified in claim 6.

Regarding claim 9: Yogeshwar does not disclose expressly that said first information comprises one of information specifying the location of the extracted frame or group of frames and information specifying a location of image data within an image data file created from the source video data and stored separately from the source video data, the image data corresponding to the extracted frame or group of frames.

Fujita discloses information specifying the location of the extracted frame or group of frames (figure 2(201) and column 9, lines 59-62 of Fujita) and information specifying a location of image data within an image data file created from the source video data and stored separately from the source video data, the image data corresponding to the extracted frame or group of frames (figure 11(1119) and column 22, lines 16-20 of Fujita).

Yogeshwar and Fujita are combinable because they are from the same field of endeavor, namely digital video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include information about the location of the extracted frame or group of frames in the source video data and the location of said extracted frame or group of frames as image data stored separately in an image data file, as taught by Fujita. The motivation for doing so would have been reduce the time required for editing by saving the specific video cut to be edited (column 13, lines 16-18 of Fujita). Therefore, it would have

been obvious to combine Fujita with Yogeshwar to obtain the invention as specified in claim 9.

19. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (US Patent 6,026,232) in view of Bozdagi (US Patent 6,252,975 B1).

Regarding claim 7: Yogeshwar discloses second information relating to the display time of an extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar).

Yogeshwar does not disclose expressly that said second information comprises information relating to such display time that a frame activity value during a special reproduction is kept substantially constant.

Bozdagi discloses information relating to such display time that a frame activity value during a special reproduction is kept substantially constant (column 6, lines 30-36 of Bozdagi).

Yogeshwar and Bozdagi are combinable because they are from the same field of endeavor, namely digital video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the information relating to the display time be included in said second information, as taught by Yogeshwar, when the frame activity value during a special reproduction is kept substantially constant, as taught by Bozdagi. The motivation for doing so would have been to be able to obtain a satisfactory static representation of the overall global motion of the video using only a relatively few selected key frames (column 3, lines 29-35 of Bozdagi), thus reducing the amount of data required. Therefore, it would have been obvious to combine Bozdagi with Yogeshwar to obtain the invention as specified in claim 7.

Regarding claim 8: Yogeshwar does not disclose expressly describing fifth information indicating whether the extracted frame or group of frames is reproduced or not.

Bozdagi discloses information indicating whether the extracted frame or group of frames is a key frame or not (column 6, lines 36-41 of Bozdagi), and thus whether or not said extracted frame or group of frames is reproduced or not (column 3, lines 32-35 of Bozdagi).

Yogeshwar and Bozdagi are combinable because they are from the same field of endeavor, namely digital video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include as fifth information in the frame information taught by Yogeshwar, information indicating whether the extracted frame or group of frames is reproduced or not, as taught by Bozdagi. The motivation for doing so would have been to be able to obtain a satisfactory static representation of the overall global motion of the video using only a relatively few selected key frames (column 3, lines 29-35 of Bozdagi), thus reducing the amount of data required. Therefore, it would have been obvious to combine Bozdagi with Yogeshwar to obtain the invention as specified in claim 8.

20. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (US Patent 6,026,232) in view of Fukuzawa (US Patent 5,933,807).

Regarding claims 21 and 22: Yogeshwar discloses a data signal (column 8, lines 7-11 of Yogeshwar) for use in a video decoding apparatus to describe (column 7, lines 61-67 of Yogeshwar) frame information (column 12, lines 28-33 of

Yogeshwar), said data signal comprising first information, described for a frame or group of frames extracted from a plurality of frames in a source time-based digital data (column 14, lines 26-30 of Yogeshwar), specifying a location of the extracted frame or group of frames in the source time-based digital data (column 14, lines 34-37 of Yogeshwar); and second information, described for the extracted frame or group of frames, relating to a reproduction start time and display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar). In order to edit a specific frame or group of frames of time-based digital data (column 14, lines 26-30 of Yogeshwar), said frame or group of frames must be extracted. In order for a specific frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the specific location of said extracted frame or group of frames in the source time-based digital data must inherently be known and retained as information.

Yogeshwar does not disclose expressly that said frames are sound frames extracted from a plurality of sound frames in source sound data.

Fukuzawa discloses extracting sound frames from a plurality of sound frames in source sound data (column 5, lines 9-15 of Fukuzawa).

Yogeshwar and Fukuzawa are combinable because they are from the same field of endeavor, namely the analysis of digital frame data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to extract sound frames, as taught by Fukuzawa, and store the associated information, as taught by Yogeshwar. The suggestion for doing so would have been that Yogeshwar also teaches that sound data

is present in the video data frames (column 16, lines 41-46 of Yogeshwar) and can thus be processed as well. Therefore, it would have been obvious to combine Fukuzawa with Yogeshwar to obtain the invention as specified in claims 21 and 22.

Further regarding claim 21: The article of manufacture of claim 22 performs the method of claim 21.

21. Claims 10 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (US Patent 6,026,232) in view of Lee (US Patent 5,500,680).

Regarding claim 10: Yogeshwar does not disclose expressly describing, for media data other than the source video data including the extracted frame or group of frames, information specifying a location of the media data and information relating to a display time of the media data.

Lee discloses describing, for media data (caption text) other than the source video data including an extracted frame or group of frames, information specifying a location of the media data (column 4, lines 25-28 of Lee) and information relating to a display time of the media data (figures 7A-7C and column 5, lines 44-50 of Lee).

Yogeshwar and Lee are combinable because they are from the same field of endeavor, namely video data processing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to describe information specifying the caption text data location and information specifying the caption text display time, as taught by Lee. The motivation for doing so would have been to allow a user to see the words which are stored as part of the video (column 2, lines 35-44 of Lee).

Therefore, it would have been obvious to combine Lee with Yogeshwar to obtain the invention as specified in claim 10.

Regarding claims 23 and 24: Yogeshwar discloses a data signal (column 8, lines 7-11 of Yogeshwar) for use in a video decoding apparatus to describe (column 7, lines 61-67 of Yogeshwar) frame information (column 12, lines 28-33 of Yogeshwar), said data signal comprising first information, described for a frame or group of frames extracted from a plurality of frames (column 14, lines 26-30 of Yogeshwar), specifying a location of the extracted frame or group of frames in the source time-based digital data (column 14, lines 34-37 of Yogeshwar); and second information, described for the extracted frame or group of frames, relating to a display start time and a display time of the extracted frame or group of frames (column 14, lines 27-30 of Yogeshwar). In order to edit a specific frame or group of frames of time-based digital data (column 14, lines 26-30 of Yogeshwar), said frame or group of frames must be extracted. In order for a specific frame or group of frames to have particular regions processed (column 14, lines 34-37 of Yogeshwar), the specific location of said extracted frame or group of frames in the source time-based digital data must inherently be known and retained as information.

Yogeshwar does not disclose expressly that said frames or group of frames are text frames extracted from a plurality of text frames in source text data.

Lee discloses extracting text frames from a plurality of text frames in source text data (column 4, lines 6-12 of Lee).

Yogeshwar and Lee are combinable because they are from the same field of endeavor, namely video data processing. At the time of the invention, it would have been obvious to a person of

ordinary skill in the art to extract text data frames, as taught by Lee, and store the associated information, as taught by Yogeshwar. The suggestion for doing so would have been that Lee combines the text frame data along with the video frame data (column 4, lines 6-8 of Lee) and Yogeshwar processes video frame data along with other associated types of frame data, such as sound data (column 16, lines 41-46 of Yogeshwar). Therefore, it would have been obvious to combine Lee with Yogeshwar to obtain the invention as specified in claims 23 and 24.

Further regarding claim 23: The article of manufacture of claim 24 performs the method of claim 23.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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James A. Thompson
Examiner
Art Unit 2624

07 September 2005

THOMAS D. LEE
PRIMARY EXAMINER